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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,353	04/12/2004	Anastasios Palidis	12038.0006.NPUS01	3079

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EXAMINER
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LAUX, JESSICA L

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/822,353	<b>Applicant(s)</b> PALIDIS, ANASTASIOS	
	<b>Examiner</b> Jessica Laux	<b>Art Unit</b> 3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-23 and 28-37 is/are allowed.
- 6) ☒ Claim(s) 1-17 and 24-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| ✓ 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>06/27/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 07/01/2005 have been fully considered but they are not persuasive.

Regarding Applicant's arguments to the 35 U.S.C. 102 rejection of claims 1-3, 5 and 7-9:

In response to Applicant's argument that Yorke does not disclose a plurality of fixed support members having substantially vertical side walls and that portion 13 of Figure 4 of the prior art is a lug and is not the same as the fixed support members claimed in Applicant's invention, and that the bolts of Yorke are the primary load-carrying members and as such are more appropriately compared to the fixed support members of applicant's invention: Referring to page 3 lines 17-19 of the previous office action shows that the fixed support member is considered to be the entire member depicted in Figure 4, which support the loads created by the connection of various components together, and that portion 13 only depicts the vertical side walls. The portion 13 alone was never considered to be the fixed support member, only a portion of the fixed support member.

In response to applicant's argument that the connector disclosed in Yorke is not necessarily suitable for connecting large pieces of equipment together: a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the

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intended use, then it meets the claim. The connector in Yorke is designed to connect component parts of a metallic derrick together. As defined by Encarta, World English Dictionary, North American Edition, a derrick is: an oil structure: a structure placed over an oil well that is used to raise and lower piping, drills, and other boring equipment. As such the connector is necessarily suitable for connecting large pieces of equipment together, as a structure placed over an oil well used to raise and lower such large and heavy equipment must be suitable to support such loads. Therefore the connector of Yorke is capable of performing the intended use of the Applicant's claim.

The member of Yorke depicted in Figure 4 has sidewalls (as shown by portion 13) and a contoured top (as shown by portion 9) that connect with notches (11 and 12) to support the horizontal and vertical loads imposed on the structure. As the connector is designed to support the loads of a derrick which receives loads equivalent to those of the Applicant's invention, as stated above, the connector of Yorke could handle the same potential horizontal loads as Applicant's invention.

In response to the Applicant's argument that the support members of Yorke are not fixed: The support members of Yorke are fixed support members in that once the members are in place the portions 13 interact with portion 12 to prevent the support member from moving, resulting in a fixed support member.

Regarding Applicant's arguments to the 35 U.S.C. 103 rejection of claims 6, 4, 10-17, and 24-27:

In response to applicant's argument that there is no suggestion to combine the references: the examiner recognizes that obviousness can only be established by

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combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case: regarding claims 4 and 10 refer to the previous office action page 5, lines 5-8, where the examiner has clearly provided motivation for combining the two references. Regarding claim 6 refer to the previous office action page 4, lines 21-25, where the examiner has clearly provided motivation for obviousness.

In response to the arguments regarding claim 17: the examiner has clearly provided motivation to combine Yorke in view of Goya and shown that these references do teach all of the claim limitations (as discussed above). Further it was shown above that the connector of Yorke is capable of withstanding the substantial forces that would be imposed if used to connect a unitized equipment floor of a drilling rig to a substructure of a drilling rig.

In response to the arguments regarding claims 24-27: the examiner has clearly provided motivation to combine Yorke in view of Goya, and has shown that these references do teach all of the claim limitations (as discussed above).

In light of the foregoing discussion the decision of the previous office action is upheld and is incorporated below.

***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-3, 5, and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Yorke (1,090,955).

In regard to claims 1-3, 5, 8 and 9, York discloses a structural connector comprising a support plate 1b (fig. 3) comprising a plurality of fixed support members (fig. 4) having substantially vertical side walls, i.e. the side walls are located on portion 13 and are substantially vertical as shown in fig. 4, and contoured tops, a mating lug assembly 14, 14 comprising a pair of mating lug plates, i.e. the plate attached to member 1a (fig. 3), and a plurality of mating lugs, i.e. the portion attached to member 1b (fig. 3), attached to each mating lug plate, each mating lug having a support notch 1 la therein that is shaped and sized to mate with the fixed support member and has substantially vertical side walls and contoured top surfaces, wherein the fixed support members extend outwardly from both sides of the support plate. The structural connector also carries a vertical and horizontal load on the contoured top surfaces and sidewalls of the support notches and the fixed support members. In regard to claim 7, Yorke discloses the claimed invention except for specifically disclosing that cutting the shape of the support notch into the mating lug plates forms the mating lugs. The examiner would like to point out that the step of "cutting" is a method, or process step and is not given much weight in an apparatus claim. See MPEP 2113. Therefore, since Yorke discloses the finished product, the claim limitations are met.

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yorke (1,090,955).

In regard to claim 6, Yorke discloses the claimed invention except for specifically disclosing that the lugs are welded to the plates. It would have been obvious to one having ordinary skill in the art at the time the invention was made to weld the lugs to the plates instead of integrally forming the two members, because welding is a well known means for connecting steel pieces together. Claims 4, 10-17, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yorke (1,090,955) in view of Goya (5,845,453). In regard to claim 4, Yorke discloses the claimed invention except for specifically disclosing the use of tapered guide surfaces. Goya teaches that it is known to use tapered guide surfaces at the opening end of a notch. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate said surfaces into Yorke's invention, because it is well known in the art that the tapered surfaces will facilitate insertion of the fixed support member during assembly. In regard to claims 10-16, Yorke in view of Goya disclose the basic claimed invention. Claims 10-16 contain the same limitations as claims 1-9. Therefore, claims 10-16 are rejected on the same grounds of rejection set forth above with respect to claims 1-9, wherein Yorke teaches all of the limitations except for the tapered guide surfaces. In regard to claim 17, Yorke in view of Goya disclose the basic claimed

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invention, wherein the structural connector is capable of connecting a unitized equipment floor of a drilling rig to a substructure of a drilling rig. In regard to claim 24-27, Yorke in view of Goya disclose a method of connecting structural components comprising providing a first structural component 5 with one or more support plates 1b attached thereto, providing each support plate with a plurality of fixed support members 9 extending there through, providing a second structural component 1a with one or more mating lug assemblies attached thereto, providing each mating lug with a support notch, positioning the first structural component and the second structural component for connection, and guiding the fixed support members of the support plates into engagement. The structure of the lug assemblies and support plates and limitations of claims 25-27 can be seen in the above rejections.

***Allowable Subject Matter***

Claims 18-23 and 28-37 are allowed.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of



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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica Laux whose telephone number is 571-272-8228. The examiner can normally be reached on Monday thru Friday, 8:30am to 4:00pm (est).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JL  
01/27/2005



Naoko Slack  
Primary Examiner